

15541 U.S. PTO
06/23/03

Please type a plus sign (+) inside this box [+]

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PTO/SB/05 (11-00)
17302 U.S. PTO
10/602495
06/23/03

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. M5015.P001

(maximum 12 characters)

First Named Inventor Darrell James Shelton

Title: SUPPORT APPARATUS FOR A HUMAN AND METHOD OF USE

Express Mail Label No. ET437832657US

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D. C. 20231

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. X Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. X Applicant Claims Small Entity Status. (37 CFR 1.27)
3. X Specification (Total Pages 33)
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table,
or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. X Drawings(s) (35 USC 113) (Total Sheets 9)
5. X Oath or Declaration (Total Pages 5)
 - a. X Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 18 completed)
 - i. DELETIONS OF INVENTOR(S) Signed statement attached deleting
inventor(s) named in the prior application, see 37 CFR 1.63(d)(2)
and 1.33(b).
 - c. Unsigned.
6. X Application Data Sheet. (37 CFR 1.76)
7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. **Assignment Papers (cover sheet & documents(s))**
10. a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
- X b. Power of Attorney
11. English Translation Document (if applicable)
12. X a. Information Disclosure Statement (IDS)/PTO-1449
- X b. Copies of IDS Citations
13. **Preliminary Amendment**
14. X **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. **Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**
17. Other: _____

18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

 Continuation Divisional Continuation-in-part (CIP)
Of Prior Application No.: _____ Examiner _____ Group Art Unit _____
(which is a continuation/ divisional/ CIP of prior application no. _____,
which is a continuation/ divisional/ CIP of prior application no. _____) (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.

For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that _____ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. _____ Frame No. _____ (or a copy of which is attached).

19. Correspondence Address

 Customer Number or Bar Code Label _____
or _____ (Insert Customer No. or Attach Bar Code Label here)

 X Correspondence Address Below

NAME Mark S. Peloquin, Esq.

PELOQUIN, PLLC

ADDRESS 800 Fifth Avenue, Suite 4100

CITY Seattle STATE WA ZIP CODE 98104-3100

Country U.S.A. TELEPHONE (206) 447-1336 FAX (206) 770-6562

Name (PRINT/TYPE): Mark S. Peloquin, Esq. Registration No.: 50,787

Signature: Mark S. Peloquin, Esq. Date: June 23, 2003

FEE TRANSMITTAL FOR FY 2003

TOTAL AMOUNT OF PAYMENT (\$)	786.00
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Complete if Known:

Application No. Not Yet Assigned

Filing Date June 23, 2003

First Named Inventor Darrell James Shelton

Group Art Unit Not Yet Assigned

Examiner Name Not Yet Assigned

Attorney Docket No. M5015.P001

METHOD OF PAYMENT (check one)

1. [] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number

Deposit Account Name

- [X] Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17**

- [X] Applicant claims small entity status. See 37 CFR 1.27**

- | | | | | |
|----|------------------|-------------------|---------------------------------------|-------------------------------|
| 2. | <u> X </u> | Payment Enclosed: | <u> X </u>
<u> </u> | Check
Money Order
Other |
|----|------------------|-------------------|---------------------------------------|-------------------------------|

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	750	201	375	Utility application filing fee	\$375.00
106	330	206	165	Design application filing fee	
107	520	207	260	Plant filing fee	
108	750	208	375	Reissue filing fee	
114	160	214	80	Provisional application filing fee	
SUBTOTAL (1)					\$ 375.00

2. EXTRA CLAIM FEES

2. <u>EXTRA CLAIM FEES</u>		<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims	<u>47</u>	- 20** = <u>27</u>	X <u>\$9</u>	= <u>\$243.00</u>
Independent Claims	<u>7</u>	- 3** = <u>4</u>	X <u>\$42</u>	= <u>\$168.00</u>
Multiple Dependent				=

****Or number previously paid, if greater; For Reissues, see below.**

<u>Large Entity</u>		<u>Small Entity</u>		
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	<u>Fee Description</u>
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 411.00

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	_____
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	_____
139	130	139	130	Non-English specification	_____
147	2,520	147	2,520	For filing a request for ex parte reexamination	_____
099	8,800	099	8,800	Request for inter parties reexamination	_____
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	_____
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	_____
115	110	215	55	Extension for reply within first month	_____
116	410	216	250	Extension for reply within second month	_____
117	930	217	465	Extension for reply within third month	_____
118	1,450	218	725	Extension for reply within fourth month	_____
128	1,970	228	985	Extension for reply within fifth month	_____
119	320	219	160	Notice of Appeal	_____
120	320	220	160	Filing a brief in support of an appeal	_____
121	280	221	140	Request for oral hearing	_____
138	1,510	138	1,510	Petition to institute a public use proceeding	_____
140	110	240	55	Petition to revive - unavoidable	_____
141	1,300	241	650	Petition to revive - unintentional	_____
142	1,300	242	650	Utility issue fee (or reissue)	_____
143	470	243	235	Design issue fee	_____
144	625	244	315	Plant issue fee	_____
122	130	122	130	Petitions to the Commissioner	_____
123	50	123	50	Processing fee under 37 CFR 1.17(q)	_____
126	180	126	180	Submission of Information Disclosure Stmt	_____
581	40	581	40	Recording each patent assignment per property (times number of properties)	_____
146	750	246	375	For filing a submission after final rejection (see 37 CFR 1.129(a))	_____
148	110	248	55	Statutory Disclaimer	_____
149	750	249	375	For each additional invention to be examined (see 37 CFR 1.129(b))	_____
179	740	279	370	Request for Continued Examination (RCE)	_____
169	900	169	900	Request for expedited examination of a design application	_____
195	300	195	300	Publication fee for early, voluntary, or normal pub.	_____
196	300	196	300	Publication fee for republication	_____
194	130	194	130	Request for voluntary publication or republication	_____
098	130	098	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	_____
091	1,280	091	1,280	Acceptance of unintentionally delayed claim for priority	_____

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 00.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Mark S. Peloquin, Esq.Signature: Mark S. Peloquin, Esq. Date: June 23, 2003Reg. Number: 50,787 Telephone Number: (206) 447-1336

The following papers were received in the United States Patent and Trademark Office:

Applicant: Darrell James Shelton
Attorney: Mark S. Peloquin, Esq.
Title of Invention: **SUPPORT APPARATUS FOR A HUMAN AND METHOD OF USE**
Serial No.: Not yet assigned
Filing Date: June 23, 2003
Docket No.: M5015.P001
Express Mail No.: ET437832657US

____ (1) Utility Patent Application Transmittal
____ (1) Fee transmittal
____ (1) Specification and claims, 33 pages
____ (1) 47 Claims
____ (1) Abstract
____ (1) 1 copy of drawings, 9 pages
____ (1) Declaration and power of attorney
____ (1) Information disclosure citation
____ (1) Copies of cited references
____ (1) Check in the amount of \$786.00, check # 1247
____ (1) Certificate of Mailing Express Mail

EXPRESS MAIL CERTIFICATE OF MAILING

Express Mail Post Office to Addressee No.: ET437832657US
Date of Deposit: 06/23/2003

I hereby certify that I am causing this correspondence, paper, fee, and the documents as indicated on the postcard photocopy above, to be deposited with sufficient postage to the United States Postal Service for Express Mail Post Office to Addressee service on the date of deposit indicated above, and that this correspondence, paper, fee, and the documents as indicated on the postcard photocopy above has been addressed to:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mark S. Peloquin, Esq.

Printed Name of Person Performing Mailing

Mark S. Peloquin, Esq.
Signature

June 23, 2003
Date